

## PLACER LOCAL AGENCY FORMATION COMMISSION

Robert Weygandt, (County), Chair; Joshua Alpine (District, Vice Chair); Scott Alvord (City); Cindy Gustafson (County); William Kahrl, (District); Joe Patterson, (City); Susan Rohan, (Public), Alternate Commissioners: Sean Loman (City); Jeffrey Starksy (Public); Jim Holmes, (County); Mike Lynch (District)

### **SPECIAL MEETING HEARING AGENDA**

**May 12, 2021 - 4:00 P.M.**

**(Please note this Agenda supersedes and replaces the Agenda erroneously stating that the meeting time was May 10, 2021)**

### **PUBLIC PARTICIPATION PROCEDURES:**

#### Public Participation Procedures

This meeting of Placer LAFCO will be open to in-person attendance. To remain in compliance with the state's public health guidance, the county will limit in-person attendance to just 25% of the room's capacity and will require 6 feet of social distancing inside and outside the meeting room. There will be no standing room allowed in the meeting room. If all seats are occupied, citizens will be asked to wait outside. Due to the reduced capacity, we ask that citizens only be in the meeting room during the item they wish to participate on and then leave to allow others to participate in the meeting room. The meeting will also be offered through a Zoom meeting webinar. Citizens who wish to participate by Zoom should be prepared to use Zoom by:

Join from a PC, Mac, iPad, iPhone, or Android  
Please click the link below to join the Zoom meeting

Please click the link below to join the webinar:  
<https://placer-ca-gov.zoom.us/j/97764693605>

877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)

Interested parties are encouraged to check Placer LAFCO's website for any updates, including updates to the above call-in numbers and the meeting procedures [www.placer.ca.gov/2704/Loca-l-Agency-Formation-Commission-LAFCO](http://www.placer.ca.gov/2704/Loca-l-Agency-Formation-Commission-LAFCO)

*In compliance with Governor Newsom's Executive Order N-29-20-EO on telephone meetings, the public's participation will be supported through web or phone participation for attendees. When Public Comment is opened, participants may "raise hand" to be called upon to give their public comment.*

1. *Those joining online through the web meeting should "Raise Hand" in the Zoom meeting window. They will be called by the name they entered in the Zoom session, and they will be prompted to unmute their microphone so they can state their name for the record and give their comment.*

*Those who are calling in via phone may dial \*9 to raise their hand once Public Comment is opened. The Executive Officer will read out the caller's phone number and they will be notified that they are unmuted. The Executive officer will then direct them to state their name for the record and give their comment.*

*Alternatively, citizens may submit their comments in written form to the Commission.*

***If you wish to submit written comments, please submit to Placer LAFCO at [kberry@placer.ca.gov](mailto:kberry@placer.ca.gov) prior to 2:00 on May 10, 2021.***

***Emails received though the email address after 2:00 p.m. the afternoon of the meeting will still become part of the official record and will be retained.***

- 1. Flag Salute**
- 2. Call to Order and Roll Call**
- 3. Approval of Agenda (Action item)**
- 4. Election of Chair and Vice Chair:** The Commission will be asked to select a Chair and Vice-Chair. (Action item). The Commission may wish to consider this item in conjunction with item 8
- 5. New Commissioners:** The newly selected City member, Scott Alvord (City of Roseville) and new Special District Commissioners will be sworn in and seated.
- 6. Public Comment:** This is the time when persons may address the Commission on items not on the agenda. Please limit comments to three (3) minutes as the Commission is not permitted to take any action on items presented as public comment.
- 7. City Commission Representation:** The Commission will receive a presentation on the process for the City member selection process.
- 8. Process for Election of Chair:** The Commission will receive a presentation on the process of selecting the Chair and Vice Chair.
- 9. Executive Officer Reports:**
  - Legislative Committee
  - Update Proposal Status
  - CALAFCO Conference
- 10. Commissioner Reports:**
- 11. Closed Session:** Closed Session pursuant to Government Code Section 54957(b)(1) to consider the appointment of the Executive Officer
- 12. Adjournment:** Next Commission meeting is scheduled for June 9, 2021

For further information or to provide written comments on any item on the agenda, please contact the Placer LAFCO. Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Placer LAFCO office at 110 Maple Street, Auburn, CA 95603 during normal business hours. Phone: (530) 889-4097 or [kberry@placer.ca.gov](mailto:kberry@placer.ca.gov). Placer LAFCO is committed to ensuring that persons with disabilities are provided the resources to participate in its meetings. If you require a disability-related accommodation, please contact the Clerk to the Commission at least two business days prior to the meeting date.

May 12, 2021  
Item No. 7

**PLACER COUNTY**

**LOCAL AGENCY FORMATION COMMISSION**

110 Maple Street, Auburn California 95603

530-889-4097


Email: [lafco@placer.ca.gov](mailto:lafco@placer.ca.gov)

**STAFF REPORT**

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**DATE:** May 6, 2021

**TO:** Commissioners Alpine, Gustafson, Alvord, Kahrl, Patterson, Rohan, Weygandt.  
Alternate Commissioners Loman, Starsky, Holmes, Lynch

**FROM:** Kris Berry, Executive Officer 

**SUBJECT:** City Selection Committee Process

**SUMMARY**

The Commission recently requested legal counsel to prepare a memorandum concerning the City Selection Committee process for appointing the city representatives to LAFCO. The Wright Law Office has provided a legal analysis on this issue as requested.

**RECOMMENDED ACTION**

Receive and file the enclosed legal analysis concerning the City Selection Committee process for the appointment of the city representatives to LAFCO and provide direction to staff regarding any further action that should be taken on this issue.

# THE WRIGHT LAW OFFICE

*Attorney at Law*

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PO Box 347  
Rescue, California 95672

William M. Wright  
billofwrights@sbcglobal.net

(530) 306-0217

## MEMORANDUM

**TO:** Placer LAFCO Commissioners  
**FROM:** William M. Wright  
**DATE:** May 1, 2021  
**RE:** City Selection Committee Process

This office was asked to briefly discuss the process to appoint the two city representatives to LAFCO. This memorandum addresses the appointment process for all seven members of LAFCO, with an emphasis on the appointment of the two members appointed by the City Selection Committee to represent the cities.

## GENERAL MEMBERSHIP

The members of the Placer LAFCO are appointed pursuant to Government Code Section 56325.<sup>1</sup> This statute sets out a concise procedure for the appointment of the

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<sup>1</sup> Government Code Section 56325:

There is hereby continued in existence in each county a local agency formation commission. Except as otherwise provided in this chapter, the commission shall consist of members appointed as follows:

(a) Two appointed by the board of supervisors from their own membership. The board of supervisors shall appoint a third supervisor who shall be an alternate member of the commission. The alternate member may serve and vote in place of any supervisor on the commission who is absent or who disqualifies himself or herself from participating in a meeting of the commission. If the office of a regular county member becomes vacant, the alternate member may serve and vote in place of the former regular county member until the appointment and qualification of a regular county member to fill the vacancy.

(b) Two appointed by the cities in the county, each of whom shall be a mayor or council member, appointed by the city selection committee. The city selection committee shall also appoint one alternate member who shall also be a mayor or council member and shall be appointed and serve pursuant to Section 56335. The city selection committee is encouraged to

seven members on LAFCO. The two representatives for the County are appointed by the Board of Supervisors from their own membership. The Board of Supervisors also appoints a third member as the alternate to serve when a regular member is absent or if the regular member is disqualified from voting. The two representatives and the alternate for the special districts in the County must be members of a legislative body of a special district in the County. The representatives are appointed by the independent special district selection committee pursuant to Section 56332. This process involves nominations and an election by the special districts conducted by the Executive Officer of LAFCO. The public member and the alternate public member are selected by the other members of the Commission. The two representatives for the cities in the County are appointed by the City Selection Committee ("Committee" herein).

### **THE CITY SELECTION COMMITTEE**

Government Coder Section 50270 provides as follows:

In any county in which two or more cities are incorporated there is hereby created a city selection committee the purpose of which shall be to appoint city representatives to boards, commissions, and agencies as required by law. The membership of each such city selection committee shall consist of the mayor of each city within the county.

Government Code Section 50271 provides that a mayor may appoint another city council member to serve on the Committee. The Committee makes appointments to a number of different boards and commissions throughout the County, not just LAFCO.

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appoint members to fairly represent the diversity of the cities in the county, with respect to population and geography.

(c) Two presiding officers or members of legislative bodies of independent special districts appointed by the independent special district selection committee pursuant to Section 56332. The independent special district selection committee shall also appoint a presiding officer or member of the legislative body of an independent special district as an alternate member who shall be appointed and serve pursuant to Section 56332. The independent special district selection committee is encouraged to make appointments that fairly represent the diversity of the independent special districts in the county, with respect to population and geography.

(d) One representing the general public appointed by the other members of the commission. The other members of the commission may also appoint one alternate member who shall serve pursuant to Section 56331. Appointment of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members appointed by each of the other appointing authorities. Whenever a vacancy occurs in the public member or alternate public member position, the commission shall cause a notice of vacancy to be posted as provided in Section 56158. A copy of this notice shall be sent to the clerk or secretary of the legislative body of each local agency within the county. Final appointment to fill the vacancy may not be made for at least 21 days after the posting of the notice.

The Committee establishes its own rules and procedures for the appointment of representatives. While Government Code Section 56325 provides that the Committee is encouraged to appoint LAFCO members to 'fairly represent the diversity of the cities in the county, with respect to population and geography', the Committee has discretion to establish its own rules and regulations for the appointment of the members.

The Clerk of the Board of Supervisors serves as the clerk for the Committee. A copy of the recently completed Administrative Rules and Regulations for the City Selection Committee is attached hereto.

### **APPOINTMENT OF THE CITY REPRESENTATIVES TO LAFCO BY THE COMMITTEE**

Government Code Section 56325 provides that the two LAFCO members representing the cities in the County are appointed by the Committee. The individuals must be a mayor or council member of a city. Apparently some cities in the County have been under the mistaken belief that the city council for a city on the rotation schedule for an appointment to LAFCO has the authority to make the appointment to LAFCO. While the city council can make a recommendation, the appointment itself is made by the Committee. The alternate to the city representatives is also appointed by the Committee. Accordingly, a city does not have the authority to appoint an alternate to serve on LAFCO when the representative from that city is absent or unable to vote. The alternate is appointed by the Committee and the alternate is typically from a different city than the regular representative.

The recent issue with the appointment of the representative from the City of Roseville was largely due to a misunderstanding of the role of the Committee in the appointment of the representative. The City approved a schedule of appointments for a number of committees, boards, commissions and joint power authorities, including LAFCO, at its January 20, 2021 meeting. A copy of the agenda item is attached. The City appointed Scott Alvord to serve as the LAFCO representative. However, unlike other agencies, the City does not have the authority to make the appointment to LAFCO. It can only make a recommendation. Also, I am told that when the Committee met to consider various appointments, the Roseville representative nominated and voted for the Mayor of Roseville, Ms. Bernasconi to serve as the LAFCO member. The City Selection Committee approved this nomination. Therefore, Ms. Bernasconi was validly appointed to LAFCO. However, in order to allow for the appointment of Mr. Alvord as intended by the City at its January 20 meeting, Ms. Bernasconi has resigned from the position and submitted a letter to the City Selection Committee recommending the appointment of Mr. Alvord. I believe the Committee will consider this request prior to the May meeting of LAFCO.

In accordance with Government Code Section 56334<sup>2</sup>, the term of office of each member shall be four years and until the appointment and qualification of his or her

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<sup>2</sup> Government Code Section 56334;

successor. Any member serving on LAFCO may be removed at any time and without cause by the body appointing that member. The expiration date of the term of office of each member shall be the first Monday in May in the year in which the term of the member expires, unless procedures adopted by the Commission specify an alternate date to apply uniformly to all members.

Pursuant to Government Code Section 56337, if a member appointed to LAFCO ceases to be an officer of the city, his or her membership on LAFCO shall be considered vacant. Any vacancy in the membership of a city representative to the Commission shall be filled by the Committee for the unexpired term of the appointment.

The Committee, may, at the time it appoints a member or alternate, provide that the member or alternate is disqualified from voting on proposals affecting the city which the member or alternate represents. The Committee has never imposed this requirement on the City representatives. Government Code Section 56325.1 specifically provides that while serving on LAFCO, all members shall exercise their independent judgment on behalf of the interests of residents, property owners, and the public as a whole in furthering the purposes LAFCO. This section is typically construed to allow city and special district representatives to participate in decisions affecting the city or district on which the member serves.

## CONCLUSION

The Government Code provides a specific procedure for the appointment of all members to LAFCO. The two representatives and the one alternate from the cities in the county must be elected members of a city council and the individuals are appointed

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The term of office of each member shall be four years and until the appointment and qualification of his or her successor. Upon enlargement of the commission by two members, as provided in Section 56332, the new members first appointed to represent independent special districts shall classify themselves by lot so that the expiration date of the term of office of one new member coincides with the existing member who holds the office represented by the original two-year term on the commission and the term of office of the other new member coincides with the existing member who holds the office represented by the original four-year term on the commission. The body which originally appointed a member whose term has expired shall appoint his or her successor for a full term of four years. Any member may be removed at any time and without cause by the body appointing that member. The expiration date of the term of office of each member shall be the first Monday in May in the year in which the term of the member expires, unless procedures adopted by the commission specify an alternate date to apply uniformly to all members. However, the length of a term of office shall not be extended more than once. Any vacancy in the membership of the commission shall be filled for the unexpired term by appointment by the body which originally appointed the member whose office has become vacant.

The chairperson of the commission shall be selected by the members of the commission.

Commission members and alternates shall be reimbursed for the actual amount of their reasonable and necessary expenses incurred in attending meetings and in performing the duties of their office. The commission may authorize payment of a per diem to commission members and alternates for each day while they are in attendance at meetings of the commission.

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by the Committee. The Committee is governed by statute and it makes appointments to a number of boards and commissions, including LAFCO. The Committee has established a voluntary rotation schedule for the appointment of members to LAFCO as set forth in the attached Rules and Regulations of the Committee.

Cc: Dominick Casey, Roseville City Manager  
Megan Wood, Clerk of the Board

Attachments:

Rules and Regulations of the City Selection Committee  
January 20, 2021 City of Roseville Agenda item



# **ADMINISTRATIVE RULES & REGULATIONS OF THE CITY SELECTION COMMITTEE OF PLACER COUNTY**

## **RULE I**

### **COMMITTEE MEMBERS**

**SECTION 1:** The Membership of the City Selection Committee of Placer County shall consist of the Mayor of each City/Town within the County.

**SECTION 2:** The Mayor of each City/Town may designate a member of the City's/Town's Council to attend and vote in his/her absence.

**SECTION 3:** A majority of the committee members shall constitute a quorum, and no business may be conducted unless a quorum is present. Whenever a quorum is not present, the meeting shall be postponed or adjourned to a subsequent time and place as determined by the Chairman. Action requires the affirmative vote of a majority of the membership then present.

## **RULE II**

### **OFFICERS**

**SECTION 1:** The Committee shall select a Chairman and Vice Chairman. The Chairman will serve a one year term, with the Vice Chairman automatically succeeding the Chairman the following year. Chairman and Vice Chairman will serve in alphabetical rotation (by city name): Auburn, Colfax, Lincoln, Loomis, Rocklin, Roseville. The Clerk of the Placer County Board of Supervisors, or designee, shall serve as the secretary to the Committee.

**SECTION 2:** The Chairman may appoint such Committees as he deems necessary.

## **RULE III**

### **MEETINGS**

**SECTION 1:** Regular meetings of the Committee shall be held the Fourth Thursday of January and May at 5:30 a.m. at the Placer County Administrative Center at 175 Fulweiler Avenue, Auburn, CA. Such regular meetings may be adjourned from day to day, or to any day prior to the next regular meeting day until the business before such Committee is disposed of.

**SECTION 2:** The Secretary shall give reasonable Notice to each Committee Member of the time, date and place at which a meeting of the Committee is continued.

## **RULE IV**

### **CONDUCT OF BUSINESS**

**SECTION 1:** All meetings shall be conducted by the Chairman or Vice Chairman.

**SECTION 2:** The Secretary shall attend all meetings of the Committee, and shall record in writing, all votes and action taken by the Committee, and shall include the name of each member voting and how he/she voted.

**SECTION 3:** The regular order of business of the Committee shall be:

- A. Roll Call
- D. Public Comment
- E. Adjournment

**SECTION 4:** The Agenda shall be prepared by the Secretary for each meeting of the Committee, and an abstract of all matters requiring action shall be set forth therein.

**SECTION 5:** Unless otherwise provided by law, any Rule may be amended, or repealed, at any time, by a majority vote of the entire membership.

**SECTION 6:** Unless otherwise provided by these Rules, all proceedings before the Committee shall be conducted with and pursuant to the Parliamentary Rules of Procedure, as prescribed in "Roberts Rules of Order", a copy of which is on file in the Office of the Clerk of the Board of Supervisors.

## **RULE V**

### **PROCEDURE FOR NOMINATING CITY REPRESENTATIVES**

#### **TO A COMMITTEE/COMMISSION**

**SECTION 1:** City Representative(s) shall be selected from nominations submitted by the mayors of each City.

**SECTION 2:** The City selection Committee shall appoint one alternate member in the same manner as it appoints a regular member. If one of the regular city members is absent from a commission meeting, or disqualifies himself or herself from participating in a meeting, the alternate member may serve and vote in place of that regular city member for that meeting.

If the office of a regular city member becomes vacant, the alternate member may serve and vote in place of the former regular city member until the appointment and qualification of a regular city member to the vacancy.

**SECTION 3:** The City Representative to the Placer County Local Agency Formation Commission should be selected under the following rotations:

Representatives		Alternates	
2012-16	Loomis	2012-14	Auburn
2014-18	Auburn	2014-16	Lincoln
2016-20	Lincoln	2016-18	Rocklin
2018-22	Rocklin	2018-20	Roseville
2020-24	Roseville	2020-22	Colfax
2022-26	Colfax	2022-24	Loomis

Thereafter the rotation shall restart from above.

A City Selection Committee, may, at the time it appoints a member or alternate, provide that the member or alternate is disqualified from voting on annexations to the city of which the member is representative.

**SECTION 4:** The City Representative to the Remote Access Network Board should be selected under the following rotations:

2021	Roseville
2022	Auburn
2023	Colfax
2024	Lincoln
2025	Loomis
2026	Rocklin

Only the Mayor of the representative City may serve on this Board.



## COUNCIL COMMUNICATION

CC #: 1207  
File #: 0102-12

**Title:** Appointments - City Council Auxiliary Positions  
**Contact:** Sonia Orozco 916-774-5269 [sorozco@roseville.ca.us](mailto:sorozco@roseville.ca.us)

Meeting Date: 1/20/2021  
Item #: 7.21.

### RECOMMENDATION TO COUNCIL

Recommend City Council approve the appointment of city councilmembers to auxiliary positions, as designated on the attachment to this Council report.

### BACKGROUND

Membership on auxiliary agencies, boards, commissions, committees, and joint power authorities within Roseville and the Placer County and Sacramento County region is an essential function of City of Roseville elected officials. Meetings, workshops and forums are held throughout the region to discuss and act on issues of common interest seeking shared solutions. Regional cooperation and representation results in successful partnerships.

### FISCAL IMPACT

Not applicable.

### ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment, or is otherwise not considered a project as defined by CEQA Statute §21065 and CEQA State Guidelines §15060(c)(3) and §15378.

The appointments of City Council auxiliary positions meet the above criteria and are not subject to CEQA. No additional environmental review is required.

Respectfully Submitted,

Sonia Orozco, City Clerk

A handwritten signature in blue ink, appearing to read "Dominick Casey", is written over a horizontal line.

Dominick Casey, City Manager

### **ATTACHMENTS:**

Description

[Auxiliary Board Appointment Matrix](#)

AUXILIARY BOARDS		Board	Primary	Primary	Alternate	Meeting Frequency
1		Capitol Corridor Joint Powers Authority (Sub of PCTPA)	Bernasconi	Bernasconi	Bernasconi	Feb/April/June/Sept/Nov on 3rd Wednesday @ 10:00
2		Chamber / Council	Mendonso	Mendonso		monthly on 3rd Thursday @ 4:00 - subject to change
3		City / County Border Committee	Mendonso	Mendonso		as needed
4		City Selection Committee	Roccucci	Roccucci		January as needed
5		Economic Development Advisory Committee	Roccucci	Roccucci		Jan/April/July/Oct on 4th Tuesday @ 1:30
6		Electric Utility Risk Oversight Committee	Roccucci	Roccucci		fluidly 2-4 times per year
7		Greater Sacramento Economic Council	Roccucci	Roccucci		March/June/Sept/Dec on 2nd Thursday @ 9:00
8		Highway 65 JPA aka "Bizz" Johnson Highway JPA	Roccucci	Roccucci		annual in June
9		Law & Regulation Committee	Roccucci	Roccucci		monthly on 4th Wednesday @ 4:00
10		League of California Cities	Roccucci	Roccucci		Sept or Oct annual conference + policy comm as appt
11		Naming of Facilities / Park Naming Subcommittee	Roccucci	Roccucci		as needed
12		Northern California Power Agency	Roccucci	Roccucci		monthly on 4th Thursday @ 9:30
13		Northern California Water Agency	Roccucci	Roccucci		even months on 2nd Thursday @ 2:30
14		Placer County Air Pollution Control District	Roccucci	Roccucci		fluidly in Jan/April/June/Sept @ 11:30
15		Placer County Economic Development Board	Roccucci	Roccucci		monthly on 2nd Monday @ 4:00
16		Placer County Flood Control/Water Conservation District	Roccucci	Roccucci		as needed
17		Placer County Indian Gaming Local Community Benefit	Roccucci	Roccucci		monthly on 2nd Wednesday @ 4:00
18		Placer County Local Agency Formation Commission	Roccucci	Roccucci		as needed
19		Placer County Remote Access Network Advisory Board	Roccucci	Roccucci		monthly on 4th Wednesday @ 9:00
20		Placer County Transportation Planning Agency	Roccucci	Roccucci		fluidly in Jan/April/July/Oct @ 9:30
21		Placer County Water Agency/Roseville Water Committee	Roccucci	Roccucci		monthly on 2nd Thursday @ 9:00
22		Regional Water Authority	Roccucci	Roccucci		as needed
23		RCONA Executive Board / Council & CM	Roccucci	Roccucci		monthly on 1st Tuesday @ 12:00
24		Roseville Police Athletic League Board of Directors	Roccucci	Roccucci		monthly on 3rd Thursday @ 9:30
25		Sacramento Area Council of Governments (SACOG)	Roccucci	Roccucci		February or March or April
26		SACOG Retreat	Roccucci	Roccucci		monthly on 1st or 2nd Monday @ 10:00
27		SACOG SUB - Policy & Innovation	Roccucci	Roccucci		monthly on 1st Thursday @ 10:00
28		SACOG SUB - Transportation	Roccucci	Roccucci		monthly on 1st Thursday @ 1:30
29		SACOG SUB - Land Use and Natural Resources	Roccucci	Roccucci		as needed
30		School Districts / City of Roseville Issues Committee	Roccucci	Roccucci		monthly on 4th Wednesday @ 1:30
31		Sites Reservoir Joint Power Authority	Roccucci	Roccucci		Quarterly or as needed
32		South Placer Regional Transportation Authority	Roccucci	Roccucci		monthly on 4th Wednesday as needed
33		South Placer Wastewater Authority	Roccucci	Roccucci		Jan/Feb/June and special meetings as needed
34		Sun City Roseville	Roccucci	Roccucci		mutually agreed basis
35		Union Pacific - City of Roseville Committee	Roccucci	Roccucci		as needed
36		Western Placer Waste Management Authority	Roccucci	Roccucci		March/April/May/June/July/Aug/Sept/Oct/Nov/Dec
37						
38						

GREY = FORM 700 FILING AGENCY

**PLACER COUNTY**

**LOCAL AGENCY FORMATION COMMISSION**

110 Maple Street, Auburn California 95603

530-889-4097


Email: [lafco@placer.ca.gov](mailto:lafco@placer.ca.gov)

**STAFF REPORT**

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**DATE:** May 6, 2021

**TO:** Commissioners Alpine, Gustafson, Alvord, Kahrl, Patterson, Rohan, Weygandt.  
Alternate Commissioners Loman, Starsky, Holmes, Lynch

**FROM:** Kris Berry, Executive Officer 

**RE:** Election of Commission Chair

**SUMMARY**

In accordance with Government Code section 56334 (Exhibit "A"), Placer LAFCO elects a Chair and Vice-Chair in May of each year.

**DISCUSSION**

Prior to 2008, the Commission process for selection of chair and vice-chair did not include any set rotation policies. A staff report was provided that indicated who had served as chairs in recent years. The adopted Commission Policies (attached as Exhibit B) indicates the election shall be held annually in May, or if the meeting is cancelled, at the preceding or succeeding Commission hearing, and that the position is a one-year term, and no Commissioner shall serve more than two consecutive one-year terms in the same office.

In 2008, the Commission requested a rotation schedule be created. The rotation schedule was adopted August, 2008. This schedule, for the most part, has been followed since that date. The only exception would be years where a Commission member requested not to be considered as Chair. This rotation policy, and an extrapolation of further dates is attached to the report as Exhibit C.

According to the rotation policy, the next Commissioner in rotation would be a Special District Member (Alpine) and a City Member.

	<p>the selection committee shall either accept or deny representation. The executive officer shall announce the results of the election within seven days of the date specified.</p> <p>(8) All election materials shall be retained by the executive officer for a period of at least six months after the announcement of the election results.</p> <p>(g) For purposes of this section, "executive officer" means the executive officer or designee as authorized by the commission.</p>
<b>"Executive officer"</b>	
<b>Representation of independent special districts</b>	<p><b>56332.5.</b> (a) If the commission does not have representation from independent special districts on or before January 1, 2001, the commission shall initiate proceedings for representation of independent special districts upon the commission if either of the following occur:</p>
<b>Proceedings</b>	<p>(1) Upon receipt of a written request by one or more members of the selection commission representing districts having 10 percent or more of the assessed values of taxable property within the county, as shown on the last equalized county assessment roll.</p> <p>(2) Upon adoption of a resolution by the commission proposing representation of special districts upon the commission.</p>
<b>Meeting</b>	<p>(b) The commission, at its next regular meeting, shall adopt a resolution of intention. The resolution of intention shall state whether the proceedings are initiated by the commission or by an independent special district or districts, in which case, the names of those districts shall be set forth. The commission shall order the executive officer to call and give notice of a meeting of the independent special district selection committee to be held within 15 days after the adoption of the resolution in order to determine whether independent special districts shall accept representation on the commission and appoint independent special district representation pursuant to Section 56332.</p>
<b>Appointment of public member when commission includes special district representation</b>	<p><b>56333.</b> When a commission is enlarged to seven members as provided in Section 56332, the public members appointed pursuant to Sections 56325 and 56329 shall thereafter be appointed by members of the commission representing cities, counties, and special districts. Those appointments shall be made at the times and in the manner provided in Section 56334.</p>
<b>Terms of commissioners</b>	<p><b>56334.</b> The term of office of each member shall be four years and until the appointment and qualification of his or her successor. Upon enlargement of the commission by two members, as provided in Section 56332, the new members first appointed to represent independent special districts shall classify themselves by lot so that the expiration date of the term of office of one new member coincides with the existing member who holds the office represented by the original two-year term on the commission and</p>

**Removal from commission**

the term of office of the other new member coincides with the existing member who holds the office represented by the original four-year term on the commission. The body which originally appointed a member whose term has expired shall appoint his or her successor for a full term of four years. Any member may be removed at any time and without cause by the body appointing that member. The expiration date of the term of office of each member shall be the first Monday in May in the year in which the term of the member expires, unless procedures adopted by the commission specify an alternate date to apply uniformly to all members. However, the length of a term of office shall not be extended more than once. Any vacancy in the membership of the commission shall be filled for the unexpired term by appointment by the body which originally appointed the member whose office has become vacant.

**Vacancies**

**Chairperson**

The chairperson of the commission shall be selected by the members of the commission.

**Reimbursement of expenses; per diem**

Commission members and alternates shall be reimbursed for the actual amount of their reasonable and necessary expenses incurred in attending meetings and in performing the duties of their office. The commission may authorize payment of a per diem to commission members and alternates for each day while they are in attendance at meetings of the commission.

**City selection committee**

**56335.** In each county containing two or more cities, regular and alternate city members to the commission shall be appointed by the city selection committee organized in the county pursuant to and in the manner provided in Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1. Regular members of the commission shall be appointed by the city selection committee pursuant to Sections 56325, 56326, and 56327.

The city selection committee shall appoint one alternate member to the commission in the same manner as it appoints a regular member. If one of the regular city members is absent from a commission meeting, or disqualifies himself or herself from participating in a meeting, the alternate member may serve and vote in place of that regular city member for that meeting.

Except in the case of a member appointed pursuant to subdivision (d) of Section 56326 or subdivision (b) of Section 56327, a city selection committee, may, at the time it appoints a member or alternate, provide that the member or alternate is disqualified from voting on proposals affecting the city which the member or alternate represents.



## **PART II**

### **RULES OF ORDER FOR PLACER LAFCO**

#### **GENERAL PROVISIONS**

The following rules of order shall apply to the Local Agency Formation Commission of Placer County and are adopted pursuant to the authority vested in the Commission by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code section 56000 et. seq.).

#### **COMMISSION MEETINGS**

The regular hearing of the Commission shall be held at 4:00 P.M. on the second Wednesday of the month at the Board of Supervisors' Chambers in the County Administrative Center at 175 Fulweiler Avenue, Auburn, California, or in alternate location as designated. If any regular hearing day falls upon a holiday, and is not rescheduled at the previous hearing, the regular hearing for the Commission shall be held at the same hour and in the same place the first succeeding business day. Periodically the Commission may vary the meeting schedule, adding or canceling hearings to accommodate fluctuating workloads.

All Commission hearings shall be noticed in accordance with the Government Code sections 56660 and 56661. A hearing may be continued from time to time, but not to exceed seventy days from the date specified in the original notice (Government Code section 56666). Continuations shall be granted by a majority vote of the Commission.

Special meetings of the Commission may be called by the chair or by any three members of the Commission. The order calling such a meeting shall specify the time and place of the meeting and the business to be transacted at such meeting. Notice of such meeting shall be received at least 24 hours prior to the time of the meeting. Such a meeting shall not include the consideration of proposals for jurisdictional change.

#### **CONDUCT OF MEETINGS**

The chair, when present, shall preside at all meetings of the Commission and shall conduct the business of the Commission in the manner prescribed by these rules. The chair shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Commission.

A majority of the members of the Commission constitute a quorum for the transaction of business. No act of the Commission shall be valid or binding unless four or more members concur.

In the absence of a quorum the members present shall adjourn the hearing until the

same hour on the next succeeding business day. If all members are absent, the executive officer of the Commission may adjourn the meeting to a stated time and place.

In the absence of the chair or if the chair is unable to participate in the proceedings, the vice chair shall act as chair, with all the powers and duties of the chair. In the absence of the chair or vice chair or if the chair or vice chair is unable to participate in the proceedings, the members of the Commission present shall, by an order entered in the minutes, select one of their members to act as chair pro tem with all the powers and duties of the chair.

An alternate member may attend any meeting of the Commission and may participate fully in the hearings, deliberations and business of the Commission on any item on the agenda to the same extent as a regular member; provided, however, an alternate member may not propose a motion, second a motion or vote on a motion unless serving in the place of a regular member.

The business of each regular hearing of the Commission shall be generally in the following order:

1. Roll call
2. Flag Salute
3. Approval of Agenda
4. Approval of Minutes
5. Public Comment
6. Continued business/hearings
7. New business/hearings
8. Other items for consideration
9. Executive Officer's Report
10. Commissioner's Reports
11. Project Status Reports
12. Closed Session (if any)
13. Adjournment

Roll call votes will be taken only upon request of a Commission member. If the roll is not called, in the absence of an objection, the chair may order the motion unanimously approved. Each roll call of the Commission shall be in alphabetical order, except that the chair shall be called last.

## **ELECTION OF OFFICERS**

The chair and vice-chair shall be elected by a majority vote of the Commission. Elections shall be held annually at the May Commission hearing, or if canceled, at the preceding or succeeding Commission hearing.

The offices of chair and vice-chair are one-year terms. No Commission member shall serve more than two consecutive one-year terms in the same office.

## **DUTIES OF THE EXECUTIVE OFFICER**

The executive officer shall attend each hearing of the Commission and maintain or cause to maintain a record of all proceedings thereof as required by law. If the executive officer is unavailable, the Commission, by majority vote, may appoint a substitute to attend meetings and present staff recommendations during the executive officer's absence.

The executive officer shall prepare an agenda for each meeting. The agenda shall include those matters on file that require Commission action. The executive officer shall receive proposals for changes of jurisdiction, judge proper order of the proposals, publish legal notices, and set time for hearings before the Commission. The executive officer shall review, report and recommend upon all proposals set for reconsideration.

The executive officer shall apply, to the extent possible, the rules, policies, procedures and standards adopted by the Commission. As changes in the statutes or in local conditions occur, the executive officer shall bring recommended changes to this manual before the Commission for its consideration.

The executive officer and other LAFCO staff shall serve at the pleasure of the Commission.

## **TERMS OF THE COMMISSIONERS**

Members of the Commission shall be selected as provided in Section 56325 of the Government Code. Terms shall be four years. The expiration date of the term of office of each member shall be the first Monday in May in the year in which the term of the member expires. Any vacancy in the membership of the Commission shall be filled for the unexpired term by appointment of the body responsible for that membership category. (See Government Code section 56334)

The alternate city member shall serve in the absence of either of the two regular city members. The alternate Board member shall serve in the absence of either of the two regular Board members. The alternate special district member shall serve in the absence of either of the two regular special district members. The alternate public member shall serve in the absence of the regular public member.

# PLACER LOCAL AGENCY FORMATION COMMISSION

## Resolution No. 2008-03

### Establishing a Rotation Policy for LAFCO Commissioners

**Whereas**, the Placer Local Agency Formation Commission (Placer LAFCO) is an independent agency established and operating under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH), and

**Whereas**, Placer LAFCO, pursuant to §56334 (CKH) elects a Chairperson of the Commission in May of each year, and

**Whereas**, the Commission intends to establish a rotation policy to use as a guideline in the selection of a Chairperson.

**Now, therefore be it resolved**, the following rotation schedule shall serve as a general guideline for the election of the Chairperson:

Special District	2008
City	2009
County	2010
Special District	2011
City	2012
Public Member	2013
County	2014

**Be it further resolved**, the Commission may elect to continue the rotation in the same form after the year 2014. The Commission may further elect to follow a corresponding Vice Chair rotation schedule to allow for the orderly transition of the Vice-Chair to the position of Chairperson.

**Be it further resolved**, that the Placer Local Agency Formation Commission hereby adopts the rotation schedule as a general guideline for the future selection of the Chair and Vice-Chair. As a general guideline, this policy is not binding on future Commissions and at any time the Commission may elect to deviate from this policy.

On a motion by Commissioner WEYGANDT, seconded by Commissioner HILL, the foregoing resolution was passed and adopted by the Placer Local Agency Formation Commission this 13<sup>th</sup> day of August, 2008 by the following vote:

Ayes: MOBEALY, WEYGANDT, HILL, FRINK, RUDD, GRAY, HOLMES

Noes: NONE

Absent: NONE

Signed and approved after adoption:

Duane L. Frink  
Duane L. Frink, Chair

Attest

  
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Kristina Berry, AICP, Executive Officer